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Danbury  
SUPERIOR COURT

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Short Calendar

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Hon. Douglas C. Mintz (A.J.)(P.J.)  
Hon. Deborah K. Frankel  
Hon. Richard M. Marano  
Hon. Carl J. Schuman  
Hon. Barry C. Pinkus  
9:30 A.M.

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MOTIONS FOR WHICH ARGUMENT IS OF RIGHT.

Motions for which argument is of right; i.e., motions to dismiss, motions to strike, motions for summary judgment, motions for judgment of foreclosure, and motions for judgment on the report of an attorney trial referee and/or objections thereto, shall appear on the calendar as arguable. Counsel seeking a hearing on such motions must mark the matter ready pursuant to the short calendar marking system and appear in court. It shall be at the Court's discretion to accept a "Take Papers" marking on a motion for which argument is of right.

Motions for judgment on report will automatically be marked "Ready" by the court and taken on the papers if argument is not requested by the parties. "Off" markings will not be processed.

OTHER MOTIONS.

Nonarguable motions may be marked "Ready-Take Papers" or "Ready-Request Argument." Nonarguable motions marked simply "Ready" will be taken on the papers. Motions marked "Ready-Request Argument" will be referred to a judge, who will decide whether or not to permit argument. Those items for which argument is deemed unnecessary will be decided on the papers. Those matters for which argument is permitted or is required by the court, will be scheduled for a hearing on a future Short Calendar Supplemental List. Parties will receive a court notice indicating the date.

Matters labeled Finding of Fact or Arbitrator's Decision will automatically be  
(Notice Continued on Last Column)

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TABLE OF CONTENTS

marked "Ready" by the court and taken on the papers, if argument is not requested by the parties. "Off" markings will not be processed.

**SHORT CALENDAR NOTICE FOR FORECLOSURE MATTERS**

Provided the matter has been marked "READY," argument will be heard on the day scheduled for short calendar on the following motions: "As of Right" motions listed in P.B. § 11-18 including Motions for Judgment of Foreclosure, Deficiency Judgments, Motions to Approve Committee Sale, Deed, Report, Expenses and Fees, Motions to Open Judgment, Motions for Protection from Foreclosure, and Motions for Judgment on the Mortgage Note.

It shall be at the Court's discretion to accept a "TAKE PAPERS" marking on an "As of Right" motion; those matters for which argument is deemed unnecessary will be taken on the papers while those motions for which argument is required by the Court will be scheduled for a hearing at a later date. The clerk will notify the parties of the hearing date by mail.

Any "Not As of Right" motion which has printed with an "As of Right" motion may be marked "TAKE PAPERS" or, if oral argument is requested pursuant to P.B. § 11-18, it may be marked "READY." If the "Not as of Right" motion is marked "READY" in conjunction with the "As of Right" motion, the Court will hear the matter on the day scheduled for short calendar. If only the "Not As of Right" motion has been marked "READY," the judge will determine whether oral argument is necessary. If oral argument is necessary, a hearing will be scheduled and the clerk will notify the parties of the hearing date by mail. Those matters for which argument is deemed unnecessary will be decided on the papers.

- An Affidavit of Appraisal should be submitted in lieu of testimony except where fair market value is contested. In the case of deficiency judgments, the appraiser shall testify if the appraisal is lower than the fair market value found at the date of judgment or if the fair market value is contested.
- The following originals should be submitted at the hearing on Motion for Judgment of Strict Foreclosure or Motion for Judgment of Foreclosure by Sale: Mortgage Note and Deed (or Affidavit of Loss), Appraisal Report, Affidavit of Debt with updated computation of the debt to day of judgment, and any necessary military affidavits.
- Opposing parties contesting value must file a Notice of Intent to Argue at least 3 days prior to hearing and must certify copies to all counsel and pro se parties of record.
- After a Foreclosure by Sale, the Motion for Supplemental Judgment is to be filed with a copy of the proposed judgment. If supplemental judgment disbursement is held by the clerk, the debt should be calculated to date of disbursement. No appearance should be necessary for a Motion for Supplemental Judgment.
- The Plaintiff shall file an appropriate affidavit indicating compliance with C.G.S. § 8-265dd (the Emergency Mortgage Assistance Payment Program).
- Defaults will not be granted at the time of judgment unless such motions have been filed pursuant to P.B. § 17-20 (Failure to Appear), P.B. § 17-32 (Failure to Plead), and P.B. § 13-19 (No Disclosure of Defense) and there has been compliance with the notice requirements as prescribed in the respective rules. Defaults for Failure to Appear, except as provided in P. B. § 17-23 through 17-30, and Defaults for Failure to Plead will be granted by the clerk. Defaults for Failure to Disclose a Defense will only be placed on the short calendar or heard after compliance with the notice requirements prescribed in P.B. § 10-12 through 10-17.

**NOTICE RE: MERS FORECLOSURES**

In any foreclosure action where a Mortgage Electronics Registration System company is the plaintiff, no Judgment of Foreclosure shall enter unless an assignment of mortgage to the holder of the promissory note has been recorded on the land records and a Motion to Substitute the holder of the note as the plaintiff has been granted or an affidavit is filed with the court that the plaintiff is the actual holder of the promissory note.

**CALENDAR MARKING SYSTEM.**

Short Calendar markings will occur from 9:00 a.m. Tuesday until 4:00 p.m. Thursday of the week preceding the Short Calendar. In the event a State holiday falls on the Thursday preceding the calendar, matters will be accepted from 9:00 a.m. Tuesday until 5:00 p.m. Wednesday. If a State holiday falls on a Friday preceding the calendar, markings will be accepted from 9:00 a.m. Tuesday to 11:00 a.m. Thursday. Upon release of the Short Calendar Markings Entry Transaction on the Judicial Branch website, markings may be submitted electronically, generally commencing 7:00 a.m. Tuesday, subject to system availability, and closing in accordance with the above schedule.

Counsel and pro se parties may mark a matter either by FAX or by telephone. Counsel and pro se parties who have a FAX machine available are urged to use this method of transmittal. The FAX number is 203-207-8642. A standard FAX form has been adopted and is available on the Judicial Branch website ([www.jud.ct.gov](http://www.jud.ct.gov)).

In lieu of a FAX marking, you may leave a recorded message at (203) 207-8603.

Regardless of the method of transmittal, counsel and pro se parties are required to provide the following information when making a marking:

1. Column Number and position number on calendar
2. Name and docket number of case
3. Number and title of motion
4. Marking
5. Full Name of the firm or pro se party making the marking
6. Confirmation that all counsel and pro se parties were notified of marking

Counsel and pro se parties shall bring the confirmation of the marking to the short calendar hearing of an arguable matter. This may be in the form of a FAX plus corresponding transmittal confirmation sheet, a Short Calendar Markings Confirmation and Receipt produced upon the successful completion of the electronic Short Calendar Markings Entry transaction or a detailed, signed statement from the person who telephoned the marking to the court.

A FAX plus transmittal confirmation sheet or a Short Calendar Markings Confirmation and Receipt produced upon successful completion of the electronic Short Calendar Markings Entry transaction serve as acknowledgement of delivery. A telephone call to confirm delivery is not required. The unnecessary, duplicative action of calling to verify receipt is burdensome to the Clerks' Offices.

If conflicting markings are made, the last one received will control.

All motions not marked by the deadline will go "off."

Counsel and pro se parties must give timely notice to each other of any marking that has been made. Failure to do so may result in sanctions by the court.

FOR MORE INFORMATION, SCHEDULING ORDER FORMS, AND STANDING ORDERS, PLEASE VISIT OUR WEB SITE AT [www.jud.ct.gov](http://www.jud.ct.gov).

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